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DECLARATION AND POWER OF ATTORNEY

REGULAR OR DESIGN APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Diaphragm Pump and Anode Stream Recirculation System Using
Such Pump for a Fuel Cell

the specification of which:

(check one)

☒ is attached hereto

☐ was filed on _____ as Application Serial No. _____, and was amended on _____.

☐ was described and claimed in PCT International Application No. _____, filed on _____ and as amended under PCT Article 19 on _____, if any.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a) - (d) or §365(b) of any foreign application for patent or inventor's certificate, or §365(a) of any PCT application which designates at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIORITY CLAIMED

<u>90120011</u>	<u>Taiwan, R.O.C.</u>	<u>15/08/2001</u>
(Number)	(Country)	(Day/Month/Year Filed)
<u> </u>	<u> </u>	<u> </u>
(Number)	(Country)	(Day/Month/Year Filed)
<u> </u>	<u> </u>	<u> </u>
(Number)	(Country)	(Day/Month/Year Filed)

PRIORITY NOT CLAIMED

ANY FOREIGN APPLICATION(S), ON THE SAME SUBJECT MATTER WHICH HAS A FILING DATE EARLIER THAN THE EARLIEST APPLICATION FROM WHICH PRIORITY IS CLAIMED

<u> </u>	<u> </u>	<u> </u>
(Number)	(Country)	(Day/Month/Year Filed)

CLAIM FOR BENEFIT OF PROVISIONAL APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

<u> </u>	<u> </u>
(Application Number)	(Filing Date)
<u> </u>	<u> </u>
(Application Number)	(Filing Date)

CLAIM FOR BENEFIT OF EARLIER U.S. APPLICATION(S) UNDER 35 U.S.C. 120

(complete this part only if this is a divisional,
continuation or CIP application)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Serial No.)	(Filing Date)	(Status: patented, pending, abandoned)
1	1950	patented
2	1951	pending
3	1952	abandoned

(Serial No.)	(Filing Date)	(Status: patented, pending, abandoned)
1	1950	patented
2	1951	pending
3	1952	abandoned

POWER OF ATTORNEY

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Irving Powers (15,700), Donald G. Leavitt (17,626), John K. Roedel, Jr. (25,914), Michael E. Godar (28,416), Edward J. Hejlek (31,525), William E. Lahey (26,757), Richard G. Heywood (18,224), Frank R. Agovino (27,416), Kurt F. James (33,716), G. Harley Blosser (33,650), Paul I. J. Fleischut (35,513), Vincent M. Keil (36,838), Robert M. Evans, Jr. (36,794), Robert M. Bain (36,736), Joseph A. Schaper (30,493), Kathleen M. Petrillo (35,076), Rudolph A. Telscher, Jr. (36,032), Paul A. Stone (38,628), David E. Crawford, Jr. (38,118), Paul A. Maddock (37,877), Charles E. Cohen (34,565), Scott A. Williams (39,876), Richard L. Bridge (40,529), David M. Gryte (P-41,809), and Christopher M. Goff (P-41,785).

Direct Telephone Calls To:

Kurt F. James
(314) 231-5400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Jefferson YS Yang

Inventor's signature [Signature] Date 27 September 2001

Residence 7217 Dapple Circle, Orange, CA 92869 U.S.A. **Citizenship** U.S.A.

Post Office address Same as above

Full name of second joint inventor

Second inventor's signature _____ Date _____

Residence _____ Citizenship _____

Post Office address

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jefferson YS Yang :
Serial No : 09/972,606 : Art Unit : 1745
Filed : 10/05/2001 : Examiner : Raymond Alejandro
Title : Diaphragm Pump and Anode Stream
Recirculation System Using Such Pump
for a Fuel Cell

**REVOCATION OF POWER OF ATTORNEY AND
APPOINTMENT OF POWER OF ATTORNEY**

The owner of the above-identified U.S. Patent Application, hereby revokes all Powers of Attorney previously given and hereby appoints the following Attorneys to transact all business in the U.S. Patent and Trademark Office connected therewith:

Morton J. Rosenberg, Esq., Reg.#26,049
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Respectfully submitted,
FOR: Asia Pacific Fuel Cell Technologies, Ltd.

Date: JAN 5, 2004


Name : Jefferson YS Yang
Title : President

Assignment made on Reel 012246 /Frame 0035



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/972,606	10/05/2001	Jefferson YS Yang	LELI 3442

MR 2863-148
CONFIRMATION NO. 4594

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 ELLICOTT CITY, MD 21043



OC000000011819744

Date Mailed: 02/03/2004

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 01/16/2004.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

CRYSTAL R QUEEN
 1700 (571) 272-1041

ATTORNEY/APPLICANT COPY